

Ne11

2-15-05

Sponsored by:

UTILITIES:

M. Lotko
P. Blevins
E. Mitchell

ORDINANCE NO. 2004- 193

AN ORDINANCE ACCEPTING THE PETITION OF EATON TOWNSHIP, FOR ANNEXATION TO THE CITY OF ELYRIA OF 2.0232 ACRES (BENDER ROAD) OF LAND.

BE ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE OF OHIO:

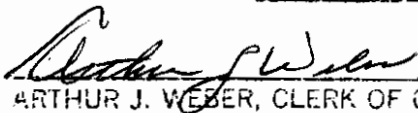
SECTION 1: That the petition of Eaton Township, Trustee approved by the Lorain County Commissioners under Resolution 04-598 and received by the Clerk of Council's office on October 10, 2004, for the annexation to the City of Elyria of 2.032 acres (Bender Road) of land, situated in Eaton Township, and described in Exhibit "A" attached hereto and made a part hereof as if fully rewritten herein, be and the same is hereby accepted.

SECTION 2: It is hereby determined by the Council of the City of Elyria that the land described in Exhibit "A" shall be a part of Ward 3 of the City.

SECTION 3: That the Clerk of Council shall make three (3) copies containing the petition, the map or plat accompanying the Petition, a transcript of the proceedings of the Board of County Commissioners, and resolutions and ordinances in relation to the annexation, with a certificate to each copy that is correct. Such certificate shall be signed by the Auditor or Clerk in his official capacity, and shall be authenticated by the seal of the municipal corporation, if there is any. The Auditor or Clerk shall forthwith deliver one such copy to the County Auditor and one such copy to the County Recorder, who shall make a record thereof in the proper book of records and preserve it. The other copy shall be forwarded by the Auditor or Clerk to the Secretary of State.

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 2004-193



ARTHUR J. WEBER, CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

01-14-05
DATE

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in meetings open to the public, in compliance with Ohio law.

SECTION 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 12/20/04 E. Kenneth Richard

ATTEST: Arthur J. Weber APPROVED: 12/20/04
Arthur J. Weber, Clerk

William M. Grace
William M. Grace, Mayor

DATE: 12-21-04

Approved as to form:

Terry S. Shilling 12-13-04
Terry S. Shilling, Law Director

CERTIFICATE OF PUBLICATION

I, THE UNDERSIGNED CLERK OF COUNCIL OF THE CITY OF ELYRIA, OHIO, HEREBY CERTIFY THAT THE FULL TEXT OF THE FOREGOING ORDINANCE NO. 2004-193 WAS POSTED IN THREE PLACES WITHIN THE CITY AS DETERMINED BY COUNCIL, AND THAT SUCH PLACES WERE AS FOLLOWS: CITY HALL, CENTRAL FIRE STATION, AND THE POLICE STATION.

DATED: 12/21/04

Arthur J. Weber
CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

Date presented to the Mayor: 12/21/04



CAPITOL SURVEY COMPANY

PHONE : 447 - 9227 -
447 - 9CAP

6345 STRATHMORE DRIVE
VALLEY VIEW, OHIO 44125

FAX : 524 - 4826

Legal Description of
**PARCEL BEING ANNEXED TO THE CITY OF ELYRIA
FROM THE TOWNSHIP OF EATON**
Chestnut Ridge & Bender Roads

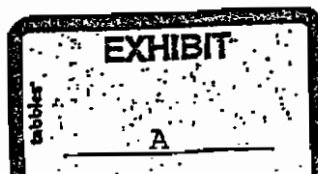
Situated in the Township of Eaton, County of Lorain, and State of Ohio, and known as being part of Original Eaton Township Lot Numbers 90 and 91, and being further bounded and described as follows:

Beginning at an iron pin monument at an angle point on the centerline of Chestnut Ridge Road, 60 feet wide, at its intersection with the easterly line of said Original Eaton Township Lot Number 91; said point also being the southeasterly corner of land conveyed to Ronald R. & Susan J. Nagy by deed recorded in O.R. Volume 954, Page 525 of Lorain County Deed Records;

Thence S 79°-00'-00" W along the said centerline of Chestnut Ridge Road, a distance of 875.88 feet to the southwesterly corner of land conveyed to Joyce Marie Clark by deed recorded in O.R. Volume 1187, Page 287 of Lorain County Deed Records; said point also being the southeasterly corner of Chestnut Ridge Residential Development No. 1 as recorded in Volume 62, Pages 36, 37 and 38 of Lorain County Map Records;

Thence N 0°-13'-48" E along the westerly line of said Clark's land, and the westerly line of land conveyed to The Mary Jane Blakeslee Living Trust by deed recorded in O.R. Volume 741, Page 452 of Lorain County Deed Records, to a 5/8" iron pin found on the northerly sideline of Chestnut Ridge Road, and the principal place of beginning of the parcel herein intended to be described;

COURSE 1: Thence continuing N 0°-13'-48" E along the westerly corporation line of the Township of Eaton, along the easterly line of said Chestnut Ridge Residential Development No. 1, and along the westerly line of said Clark's land, and the westerly line of land conveyed to The Mary Jane Blakeslee Living Trust by deed recorded in O.R. Volume 741, Page 452 of Lorain County Deed Records, a distance of 2,688.53 feet to a 5/8" iron pin found at the northwesterly corner thereof; said point also being on the corporation line between the Township of Eaton to the south and the City of North Ridgeville to the north;





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6545 STRATHMORE DRIVE
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COURSE 2: Thence S $88^{\circ}-49'-47''$ E along the northerly corporation line of the Township of Eaton, and along the northerly line of said land conveyed to The Mary Jane Blakeslee Living Trust, and passing through a $5/8''$ iron pin found at the northeasterly corner thereof at 895.97 feet, and along the northerly line of land conveyed to Carol A. Bakos et al by deed recorded in Instrument No. 20020838525 of Lorain County Deed Records, a total distance of 1,513.67 feet to a capped $5/8''$ iron pin set on the westerly right of way line of Bender Road, 40 feet wide;

COURSE 3: Thence S $0^{\circ}-50'-36''$ W along the said westerly right of way line of Bender Road, a distance of 1,625.10 feet to a capped $5/8''$ iron pin set at its intersection with the southerly line of land conveyed to Marion Stanko et al, by deed recorded in O.R. Volume 722, Page 299 of Lorain County Deed Records; said point also being on the northerly line of land conveyed to Edward and Anthony Krecic, by deed recorded in O.R. Volume 852, Page 531 of Lorain County Deed Records;

COURSE 4: Thence N $89^{\circ}-04'-44''$ W along the said southerly line of said land conveyed to Stanko et al, and along the said northerly line of said land conveyed to Krecic, a distance of 623.86 feet to a capped $5/8''$ iron pin set at its intersection with the easterly line of said land conveyed to The Mary Jane Blakeslee Living Trust; said point also being on the said easterly line of said Original Eaton Township Lot Number 91;

COURSE 5: Thence S $1^{\circ}-03'-39''$ W along the said easterly line of land conveyed to The Mary Jane Blakeslee Living Trust, and along the said easterly line of said Original Eaton Township Lot Number 91, a distance of 873.31 feet to a capped $5/8''$ iron pin set on its intersection with the said northerly sideline of Chestnut Ridge Road;

COURSE 6: Thence S $66^{\circ}-24'-05''$ W along the said northerly sideline of Chestnut Ridge Road, a distance of 10.46 feet to a capped $5/8''$ iron pin set at an angle therein;

COURSE 7: Thence S $79^{\circ}-00'-00''$ W along the said northerly sideline of Chestnut Ridge Road, a distance of 866.61 feet to the place of beginning, but subject to all legal highways, and containing 75.450 acres of land according to a survey by **CAPITOL SURVEY COMPANY** dated October, 2003, by Ralph M. Gugar, Registered Surveyor No. 7949.



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NOTE:

All iron pins set are 5/8" x 30" Rebar with yellow cap stamped with "CAPITOL 7541-7949". Basis of bearings is S 79°-00'-00" W on the centerline of Chestnut Ridge Road, as per deed to Joyce Marie Clark as recorded in O.R. Volume 1197, Page 287 of Lorain County Deed Records.

Listing of Individuals

RECEIVED
LORAIN COUNTY
COMMISSIONERS

2004 AUG -5 P 2: 12

Diocese of Cleveland
1027 Superior Avenue
Cleveland, OH 44114
Parcel No. 07-00-048-000-053

Carole A. Bakos, et al.
9105 Avon Belden Road
North Ridgeville, OH 44039
Parcel No. 11-00-090-000-037

THERESA L. UPTON
CLERK

Marian Stanko, et al.
c/o Dennis and Linda Krecic
23953 West Rim Reserve
Columbia Station, OH 44028
Parcel No. 11-00-090-000-036

Anthony Krecic
39221 Center Ridge Road, No. 4
North Ridgeville, OH 44039
Parcel No. 11-00-090-000-038

Shalor G. and Marlene M. Oliver
37844 Chestnut Ridge Road
Elyria, OH 44035
Parcel No. 11-00-090-000-032

Sugar Chestnut LLC
1050 Terminal Tower
50 Public Square
Cleveland, OH 44113
Parcel No. 11-00-090-000-041
Parcel No. 07-00-037-000-021

Richard J. Gibbons
and Barbara J. Gibbons, Trustees
544 Washington Avenue
Elyria, OH 44035
Parcel No. 11-00-090-000-006

Robert J. Golinski
37831 Chestnut Ridge Road
Elyria, OH 44035
Parcel No. 11-00-090-000-013

